

ASSEMBLY BILL

No. 331

Introduced by Assembly Member Kehoe

February 7, 2003

An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 331, as introduced, Kehoe. Unemployment benefits: waiting period.

Existing law provides for the payment of unemployment compensation benefits during the period that a person is unemployed, provided the person has been unemployed for a period of one week. Existing law provides that this waiting period may be waived during a state of war emergency or state of emergency.

This bill would waive the one-week waiting period for any individual who is unemployed due to a lockout related to a labor dispute.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1253 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 1253. An unemployed individual is eligible to receive
- 4 unemployment compensation benefits with respect to any week
- 5 only if the director finds that:
- 6 (a) A claim for benefits with respect to that week has been made
- 7 in accordance with authorized regulations.

1 (b) ~~He or she~~ *The individual* has registered for work, and
2 thereafter continued to report, at a public employment office or
3 any other place as the director may approve. Either or both of the
4 requirements of this subdivision may be waived or altered by
5 authorized regulation as to partially employed individuals
6 attached to regular jobs.

7 (c) ~~He or she~~ *The individual* was able to work and available for
8 work for that week.

9 (d) ~~He~~ *The individual* has been unemployed for a waiting
10 period of one week as defined in Section 1254, ~~unless this~~. *This*
11 *requirement does not apply if either of the following occur:*

12 (1) *The waiting period has been waived pursuant to Section*
13 *8571 of the Government Code.*

14 (2) *The unemployment is due to a lockout, as defined in Section*
15 *1132.8 of the Labor Code.*

16 (e) ~~He or she~~ *The individual* conducted a search for suitable
17 work in accordance with specific and reasonable instructions of a
18 public employment office.

19 (f) ~~He or she~~ *The individual* participated as required by the
20 director in reemployment activities, such as orientation and
21 assessment, if the individual has been identified pursuant to an
22 automated profiling system as likely to exhaust regular
23 unemployment benefits, unless the individual has shown good
24 cause for failure to participate.